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2 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF
3 THE STATE OF MONTANA:

4 That the Legislative Council be requested to designate an appropriate interim committee or statutory
5 committee, pursuant to section 5-5-217, MCA, or direct sufficient staff resources to examine issues related to
6 the administration and exercise of stock water rights on Taylor Grazing Act lands, including evaluations of:

7 (1) the data and records management system employed by the Department of Natural Resources
8 and Conservation as it relates to claims of water rights filed on Taylor Grazing Act lands;

9 (2) the amount and type of livestock owned by the federal government and where the livestock are
10 grazed or located in the state;

11 (3) how other western states have administered stock water rights on Taylor Grazing Act lands,
12 specifically issues of abandonment and nonuse;

13 (4) claims and water rights of the Bureau of Land Management on Taylor Grazing Act lands,
14 including the number, type, flow rate, and volume of the associated claims or rights;

15 (5) entities who have filed claims for water rights where the place of use is located on Taylor
16 Grazing Act lands, including the number, type, flow rate, and volume of the claims;

17 (6) instances where both a private entity and the Bureau of Land Management have filed claims or
18 water rights on the same Taylor Grazing Act lands;

19 (7) case law regarding the site-specific analysis associated with the determination of ownership of
20 water rights located on Taylor Grazing Act lands;

21 (8) the relationship between the federal land management agency and its lessee, permittees, and
22 users of Taylor Grazing Act lands;

23 (9) the effect of stock water use on downstream users; and

24 (10) the legal basis for the federal government to hold stock water rights on Taylor Grazing Act
25 lands.

26 BE IT FURTHER RESOLVED, that if the study is assigned to staff, any findings or conclusions be
27 presented to and reviewed by an appropriate committee designated by the Legislative Council.

28 BE IT FURTHER RESOLVED, that all aspects of the study, including presentation and review

1 requirements, be concluded prior to September 15, 2024.

2 BE IT FURTHER RESOLVED, that the final results of the study, including any findings, conclusions,

3 comments, or recommendations of the appropriate committee, be reported to the 69th Legislature.

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